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PATENT
8733.004.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re application of

Yong Beom KIM

Group Art Unit: 2871

Application No.: 08/936,510

Examiner: T. Chowdhury

Filed: September 24, 1997

**For: REFLECTIVE TYPE LIQUID CRYSTAL DISPLAY DEVICE AND
METHOD FOR MAKING THE SAME**

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REPLY UNDER 37 C.F.R. § 1.111

Commissioner of Patents
Washington, D.C. 20231

TC 2800 MAIL ROOM

Dear Sir:

In response to the Examiner's Non-Final Office Action dated November 18, 2002, the following amendments and remarks are respectfully submitted.

IN THE CLAIMS:

Please cancel claim 9 without prejudice.

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the subject application. The Office Action of November 18, 2002 has been received and contents carefully reviewed.

By this Amendment, Applicant hereby cancels claim 9 without prejudice.

Accordingly, claims 1, 4, 14, 16, 20, and 21 remain pending within the present application.

In the Office Action dated November 18, 2002, the Examiner rejected claims 1, 4, 14, and 16 under 35 U.S.C. § 103(a) as being unpatentable over Yoshimizu et al. (U.S. Patent No. 5,249,071) in view of Sugiyama et al. (U.S. Patent No. 5,757,455); and rejected claims 9, 20, and 21 under 35 U.S.C. § 103(a) as being unpatentable over Yoshimizu et al. in view of Sugiyama et al. The aforementioned rejections are traversed and reconsideration of the claims is respectfully requested in view of the following remarks.

The rejection of claims 1, 4, 14, and 16 under 35 U.S.C. § 103(a) as being unpatentable over Yoshimizu et al. in view of Sugiyama et al. is respectfully traversed and reconsideration is requested.

Preliminarily, Applicant notes claims 1, 4, 14, and 16 were rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Yoshimizu et al. in view of Sugiyama et al. Applicant respectfully submits, however, only Yoshimizu et al. was used in the substantive rejection of the aforementioned claims. Therefore, for purposes of prosecution, Applicant hereby assumes the Examiner intended to reject claims 1, 4, 14, and 16 under 35 U.S.C. § 103(a) as being unpatentable over Yoshimizu et al.

Claim 1 is allowable over the cited references in that claim 1 recites a combination of elements including, for example, “a reflective electrode over the first substrate.” The cited references including Yoshimizu et al. or Sugiyama et al., either singly or in combination, do not teach or suggest at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claim 1 and claim 4, which depends from claim 1, are allowable over the cited references.

Claim 14 is allowable over the cited references in that claim 14 recites a combination of elements including, for example, “forming a reflective electrode over the first substrate.” The cited references including Yoshimizu et al. or Sugiyama et al., either singly or in

combination, do not teach or suggest at least this feature of the claimed invention.

Accordingly, Applicant respectfully submits that claim 14 and claims 16, 20, and 21, which depend from claim 1, are allowable over the cited references.

The Examiner cites Yoshimizu et al. as showing "an electrode (5) over the first substrate (3)" but as failing to disclose "that the electrode is reflective." The Examiner attempts to cure the deficiencies of Yoshimizu et al. by stating "...it is common and known in the art to use reflective electrodes to obtain a reflective display. Therefore, it would have been obvious... to modify the display of [Yoshimizu et al.] such that using a reflective electrode over the first substrate so that a reflective display is obtained."

Applicant respectfully submits, however, that Yoshimizu et al. teaches at column 11, lines 19-23 "...a pair of upper and lower glass substrates 2 and 3 on the inner surfaces of which transparent electrodes 4 and 5 each having a predetermined pattern are disposed respectively." Accordingly, Applicant respectfully submits that Yoshimizu et al. expressly teaches away from the claimed invention, which includes at least a reflective electrode, by disclosing a transparent electrode.

Applicant respectfully submits that the mere fact that a reference may be modified does not render the modification obvious unless there is some suggestion for the desirability of the modification. However, to replace the transparent electrode (5) of Yoshimizu et al. with a reflective electrode would not only alter the principle operation of Yoshimizu et al. but would also render Yoshimizu et al. inoperative. Applicant respectfully submits no proper motivation or suggestion is found in Yoshizumi et al. for one of ordinary skill in the art to combine the two references and arrive at the claimed invention. Rather, Applicant respectfully submits that such a modification is suggested only by the claimed invention and to do so would be considered impermissible hindsight.

Applicant respectfully submits Sugiyama et al. fails to cure the deficiencies of Yoshimizu et al.

The rejection of claims 9, 20, and 21 under 35 U.S.C. § 103(a) as being unpatentable over Yoshimizu et al. in view of Sugiyama et al. is respectfully traversed and reconsideration is requested.

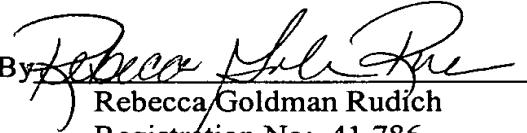
Claims 20 and 21 include all of the limitations of claim 14, as discussed above, and Yoshimizu et al. fails to teach or suggest at least these features of independent claim 14 as recited above. Similarly, Sugiyama et al. fails to cure the deficiencies of Yoshimizu et al. Accordingly, Applicant respectfully submits that the Examiner has not established a *prima facie* case of obviousness regarding claims 20 and 21 in view of claim 14, as above.

Applicant believes the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited. Should the Examiner deem that a telephone conference would further the prosecution of this application, the Examiner is invited to call the undersigned attorney at (202) 496-7500.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136. Please credit any overpayment to deposit Account No. 50-0911.

Respectfully submitted,

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